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OFFICE OF PETITIONS

50-1063214  
BR: 827

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REMITTANCE ADVICE

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SCULLY, SCOTT, MURPHY & PRESSER  
A PROFESSIONAL CORPORATION  
400 GARDEN CITY PLAZA  
GARDEN CITY, NEW YORK 11530-0299

THE SUM 730 DOLLARS

PAY TO THE ORDER OF

DATE 12-7-03

210001

STEWART AVE. & CLINTON ROAD  
GARDEN CITY, N.Y. 11530

BUSINESS ACCOUNT

THE BANK OF NEW YORK

CHECK AMOUNT

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DOLLARS

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**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.  
**13028**

In Re Application Of: **Craig Myers, et al.**

Serial No. <b>09/666,369</b>	Filing Date <b>September 20, 2000</b>	Examiner <b>Leslie Wong</b>	Group Art Unit <b>1761</b>
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Invention:

**ANHYDROUS LACTITOL CRYSTALS, A PRODUCT CONTAINING THE SAME AND A PROCESS FOR THE  
PREPARATION THEREOF AS WELL AS USE THEREOF**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of **September 10, 2002** in the above-identified application.  
*Date*

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **September 10, 2002** finally rejecting Claim(s) **1-22 and 25-40**

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month      ☒ Two months      ☐ Three months      ☐ Four months      ☐ Five months

from: **December 10, 2002**      until: **February 10, 2003**  
*Date*      *Date*

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: **\$320.00**

Fee for Extension of Time: **\$410.00**

**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME:** **\$730.00**

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☒ A check in the amount of **\$730.00** for the Notice of Appeal and extension of time is enclosed.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **19-1013/SSMP**  
A duplicate copy of this sheet is enclosed.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-1013/SSMP** duplicate copy of this sheet is enclosed.

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Filing Date  
September 20, 2000

Examiner  
Leslie Wong

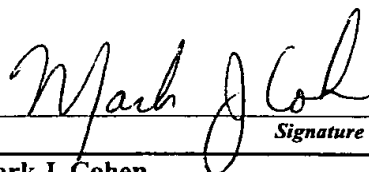
Group Art Unit  
1761

Invention:

**ANHYDROUS LACTITOL CRYSTALS, A PRODUCT CONTAINING THE SAME AND A PROCESS FOR THE  
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**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

  
Signature

Dated: February 10, 2003


Mark J. Cohen  
Registration No. 32,211  
Scully, Scott, Murphy & Presser  
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Garden City, NY 11530  
(516) 742-4343

**Certificate of Transmission by Facsimile\***

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**Certificate of Mailing**

I certify that this document and fee is being deposited on <u>2/10/03</u> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	
Signature of Person Mailing Correspondence _____ 	
Typed or Printed Name of Person Mailing Correspondence <u>Mishelle Mustafa</u>	

CC: